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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

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11 DEDRIC TURNER,

12 Plaintiff,

13 v.

14 PORTER,

15 Defendant.
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Case No. 1:20-cv-00252-BAM (PC)

ORDER DENYING MOTION TO PROCEED
IN FORMA PAUPERIS WITHOUT
PREJUDICE
(ECF No. 2)

ORDER TO SUBMIT **NON-PRISONER**
APPLICATION TO PROCEED *IN FORMA*
PAUPERIS OR PAY FILING FEE

THIRTY (30) DAY DEADLINE

18 Plaintiff Dedric Turner ("Plaintiff") is a former state prisoner proceeding *pro se* in this
19 civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on February 14, 2020,
20 (ECF No. 1), together with an application to proceed *in forma pauperis* by a prisoner (ECF No.
21 2). The action was transferred to the Fresno Division of the United States District Court for the
22 Eastern District of California on February 19, 2020. (ECF No. 4.)

23 Plaintiff's complaint indicates that Plaintiff was out of custody at the time this action as
24 filed. Therefore, Plaintiff has completed the wrong version of the *in forma pauperis* application.
25 Plaintiff must submit the correct form, completed and signed, if he wishes for his application to
26 be considered.

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Accordingly, IT IS HEREBY ORDERED as follows:

1. Plaintiff's motion to proceed *in forma pauperis* (ECF No. 2) is DENIED, without prejudice;
2. The Clerk of the Court is directed to serve this order and a **non-prisoner** application to proceed *in forma pauperis* on Plaintiff;
3. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file the attached application to proceed *in forma pauperis* for a non-prisoner, completed and signed, or in the alternative, pay the \$400.00 filing fee for this action; and
4. **Plaintiff is warned that the failure to comply with this order will result in dismissal of this action, without prejudice.**

IT IS SO ORDERED.

Dated: February 20, 2020

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE